

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S)	Ellis A. PINDER	GROUP ART UNIT:	2681
APPLN. NO.:	10/649,445	EXAMINER:	Erika A. Gary
FILED:	August 26, 2003	Confirmation No.	5762
TITLE:	METHOD AND APPARATUS TO ENSURE INTRINSICALLY SAFE OPERATION OF A COMMUNICATION DEVICE		

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**PETITION TO WITHHOLD NOTICE OF ABANDONMENT  
UNDER 37 CFR 1.181**

Office of Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants respectfully petition under 37 CFR 1.181 that any Notice of Abandonment for the application captioned above be withheld.

This Petition to Withhold any future Notice of Abandonment is being filed within one month of applicant becoming aware that the Notice of Allowance had been issued. The facts are as follows:

- (1) A Request For Continued Examination together with a Preliminary Amendment was transmitted via facsimile by Applicant and Attorney of Record on February 10, 2006.
- (2) Applicant has not yet received any communication from the Patent Office in response to the papers filed February 10, 2006, and a standard status inquiry in this application will become due on August 10, 2006.
- (3) A Notice of Abandonment mailed July 13, 2006, was received in our offices on Friday, July 21, 2005, advising Applicant that Issue and Publication Fees Due by June 6, 2006 has not been received by the Patent Office.

(4) It is respectfully brought to your attention that the Notice of Allowance and Fees Due were not received by this office and that the attorney of record was not aware of its issuance although the mailing address is correct.

(5) A copy of our database records is enclosed to facilitate your review.

(6) It is, therefore, respectfully requested that a new Notice of Allowance be issued and mailed to the attorney of record as indicated below and the timeframe for payment be reset to three months from the issuance of this new Notice of Allowance.

The Applicant will timely pay the Issue Fee and Publication Fee in response to the New Notice of Allowance. Applicant respectfully petition that the application captioned above not be considered abandoned.

Should any petition fee be required, the Commissioner is hereby authorized to be charged same to Deposit Account No. **502117, Motorola, Inc.**

Respectfully submitted,

July 24, 2006  
Customer Number: 24273

Encls:

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Description	Number	Ver...	Class	Author	Edit Time	Ext...
CM06341J - USA - NOTICE OF ABANDONMENT JULY 13, 2006 - PINDER	3,273,926	1	PATENTS	EA2004C	Fri 7/21/2006 11:26 AM	✓
CM06341J - PINDER - USA - PRELIMINARY AMENDMENT	1,341,203	1	PATENTS	EV7005	Fri 2/10/2006 6:36 PM	✓
CM06341J - PINDER - USA - RCE FORMAL PAPERS	1,341,094	1	PATENTS	EV7005	Fri 2/10/2006 5:31 PM	✓
CM06341J - PINDER - USA - PRELIMINARY AMENDMENT (RCE)	1,341,083	1	PATENTS	EV7005	Fri 2/10/2006 5:26 PM	✓
CM06341J - US - ADVISORY ACTION - 01/13/06 - PINDER	1,311,640	1	PATENTS	EA2004C	Mon 1/23/2006 6:18 PM	✓
CM06341J - PINDER - USA - AMENDMENT TO FINAL OA 29NOV 2006	1,272,099	1	PATENTS	EBD006	Wed 1/4/2006 10:26 AM	✓
CM06341J - PINDER - USA - AMD TO OA 05272005	1,059,468	1	PATENTS	EV7005	Tue 9/13/2005 4:31 PM	✓
CM06341J APPLICATION DOCUMENTS	225,749	1	PATENTS	IL06APP01-SVC	Tue 8/26/2003 11:51 AM	✓
CM06341J - Pinder patent application	225,742	1	PATENTS	EBD006	Tue 9/13/2005 2:48 PM	✓
cm06341j-sh12.tif	225,506	1	PATENTS	A19608	Mon 8/25/2003 7:38 AM	✓
cm06341j-sh1.tif	225,505	1	PATENTS	A19608	Mon 8/25/2003 7:38 AM	✓